

HOUSE BILL 1180

By Jones S

AN ACT to amend Tennessee Code Annotated, Title 55, Chapter 17, Part 1 and Title 67, Chapter 4, Part 7, relative to business licenses of certain automobile dealerships.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 67, Chapter 4, Part 7, is amended by adding the following language as a new section:

§ 67-4-731.

(a) In any county having a metropolitan form of government and a population of more than three hundred thousand (300,000) according to the 2000 federal census or any subsequent census, the county or metropolitan attorney is authorized to file for a revocation of a business license against a motor vehicle dealer licensed by the motor vehicle commission pursuant to title 55, chapter 17, part 1, when such motor vehicle dealer has been adjudicated to be in violation of either state law or a metropolitan ordinance three (3) or more times within a one-year period.

(b) Such action shall be filed with the department of revenue. Within thirty (30) days of filing, the department shall conduct a contested case hearing in accordance with title 4, chapter 5, part 3.

(c) If the administrative judge or hearing officer finds by the preponderance of the evidence that such motor vehicle dealer has been adjudicated to be in violation of either state law or metropolitan ordinance three (3) or more times within the one-year period prior to the filing, the department of revenue shall revoke the business license of such business.

(d) An appeal may be taken pursuant to title 4, chapter 5, part 3.

(e) Nothing in this section is intended to relieve any motor vehicle dealer who fails to remit any outstanding tax due or owing.

SECTION 2. This act shall take effect July 1, 2007, the public welfare requiring it.